

Message Text

CONFIDENTIAL

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ACTION ARA-17

INFO OCT-01 ADP-00 OMB-01 NEA-10 AID-20 CIAE-00 DODE-00

PM-09 H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01

PRS-01 SS-15 USIA-12 RSR-01 /116 W
----- 014013

R 082055 Z MAY 73

FM AMEMBASSY MONTEVIDEO

TO SECSTATE WASHDC 4394

INFO CINCSO

C O N F I D E N T I A L MONTEVIDEO 1394

E. O. 11652: GDS

TAGS: PINT, UY

SUBJECT: CONGRESS AND MILITARY MANEUVER OVER ERRO CASE

CINCSO FOR POLAD

REF: MONTEVIDEO 1353

1. SUMMARY: IN SURPRISE MOVE, PRESIDENT AND MILITARY AUTHORIZED EX-" TUPAMARO" AMODIO PEREZ TO TESTIFY BEFORE SENATE COMMITTEE REVIEWING REQUEST TO LIFT SENATOR ERRO' S CONGRESSIONAL IMMUNITIES SO HE COULD BE TRIED BEFORE MILITARY JUSTICE FOR SUBVERSION. AMODIO' S TESTIMONY, HOWEVER, DOES NOT APPEAR TO HAVE CHANGED LIKELY NEGATIVE SENATE OUTCOME ON REQUEST, AND EXPECTATIONS REMAIN HIGH THAT MILITARY- CONGRESSIONAL CONFLICT LOOMS AHEAD. END SUMMARY.

2. IN ABRUPT REVERSAL OF POSITION, PRESIDENT BORDABERRY, AFTER CONSULTATION WITH MILITARY COMMANDERS, ADVISED SENATE ON MAY 7 THAT HECTOR AMODIO PEREZ, KEY WITNESS AGAINST SENATOR ERRO, WAS AVAILABLE FOR INTERROGATION BY THE SENATE COMMITTEE. TWO DAYS EARLIER, MILITARY SUPREME COURT HAD REFUSED A REQUEST FROM THE SENATE TO PERMIT SENATE INTERROGATION OF ANY OF THE DETAINED " TUPAMAROS". MINISTER OF DEFENSE RAVENNA TOLD SENATE COMMITTEE THAT EXECUTIVE HAD NO POWER TO AUTHORIZE APPEARANCE
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OF TERRORISTS AS WITNESSES BEFORE SENATE AS THIS WAS A MATTER BETWEEN THE SENATE AND MILITARY JUSTICE. DECISION TO ALLOW AMODIO TO TESTIFY MADE IN THE WAKE OF GROWING SENATE UPROAR OVER EXECUTIVE' S AND MILITARY' S LACK OF RESPONSIVENESS TO SENATE REQUEST FOR FURTHER JUSTIFICATION IN ERRO CASE AND IN THE FACE OF INSINUATIONS THAT AMODIO HAD CONSPIRED WITH CERTAIN MILITARY OFFICERS TO DEFAME LARGE NUMBER OF CONGRESSMEN IN ADDITION TO ERRO. JUDICIALLY, EXECUTIVE JUSTIFIED DECISION TO LET AMODIO TESTIFY ON GROUNDS THAT HE HAD NOT BEEN PROCESSED BY MILITARY JUSTICE AND THEREFORE MILITARY SUPREME COURT DECISION DID NOT APPLY IN HIS CASE.

3. AMODIO' S TESTIMONY BEFORE SENATE COMMITTEE EVENING MAY 7 PUNCTUATED BY CONTROVERSY. BLANCO PARTY SENATOR MARTIN ECHEGOYEN, WHO HAS SUPPORTED PRESIDENT BORDABERRY IN THE PAST, REFUSED TO ATTEND INTERROGATION. ECHEGOYEN ARGUED THAT EXECUTIVE MUST MAKE AVAILABLE ALL OF THE TERRORISTS WHO HAD TESTIFIED AGAINST ERRO IN ORDER THAT INVESTIGATION MIGHT BE COMPLETE. "FRENTE AMPLIO" SENATOR MICHELINI WALKED OUT ON INTERROGATION, WHICH WAS HELD AT MILITARY ESTABLISHMENT, AFTER FOUR MILITARY OFFICERS REFUSED TO LEAVE ROOM IN WHICH SENATE COMMITTEE MET WITH AMODIO. AMODIO REAFFIRMED TO SENATORS THE CHARGES HE HAD PREVIOUSLY MADE AGAINST ERRO. COL. RAMON TRABAL, CHIEF OF MILITARY INTELLIGENCE, WHO WAS PRESENT AT THE SESSION, REPORTEDLY STOPPED ANY QUESTIONING NOT DIRECTLY RELATED TO AMODIO' S PREVIOUS TESTIMONY.

4. AMODIO INTERROGATION, WHILE CHARACTERIZED AS USEFUL BY SOME OF THE SENATORS WHO PARTICIPATED, HAS NOT, ACCORDING TO EMBASSY SOURCES, SWAYED THE DECISION OF THOSE SENATORS WHO ARE OPPOSED TO VOTING THE LIFTING OF ERRO' S IMMUNITIES. DISSATISFACTION BY SENATOR ECHEGOYEN, WHO WAS EARLIER THOUGHT LIKELY TO VOTE IN FAVOR OF LIFTING IMMUNITIES, INDICATIVE THAT GROUP OPPOSED TO EXECUTIVE' S REQUEST HAS GROWN. SENATE DISSATISFACTION ALSO CONTINUES WITH EXECUTIVE' S AND MILITARY' S REFUSAL TO ALLOW INTERROGATING OF OTHER TERRORISTS, AND SENATE COMMITTEE REITERATED ON MAY 7 ITS REQUEST THAT IT BE ALLOWED TO INTERROGATE REMAINING WITNESSES.

5. MILITARY IS EXPECTED TO REFUSE SENATE COMMITTEE' S NEW REQUEST AND FULL SENATE CONSIDERATION OF ERRO CASE NOW EXPECTED
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WEDNESDAY, MAY 9. THERE IS SOME SPECULATION THAT FULL SENATE MAY REFUSE DIRECTLY TO RULE ON ERRO' S IMMUNITIES ON GROUNDS THAT EXECUTIVE AND MILITARY HAVE NOT ALLOWED NECESSARY INVESTIGATION OF THE MERITS OF THE CASE. AS DAO IS REPORTING SEPARATELY (6-900-0125-73), HOWEVER, THIS ATTEMPT TO SIDESTEP ERRO ISSUE APPEARS TO RUN AGAINST MILITARY DETERMINATION FOR EARLY ARREST OF ERRO.

6. SENATOR BLANCO SENATOR WHO HAS SUPPORTED PRESIDENT BORDA-BERRY TOLD ME TODAY (MAY 8) THAT SITUATION REMAINS CRITICAL WITH MILITARY APPARENTLY DETERMINED TO ARREST ERRO WITHOUT SENATE' S AUTHORITY. SOURCE FELT THAT THIS ILLEGAL ACT COULD RESULT IN CONGRESSIONAL ACTION CENSURING MINISTER OF DEFENSE RAVENNA AND EVEN IMPEACHING PRESIDENT BORDABERRY. MOST OBSERVERS BELIEVE SOME MILITARY ACTION AGAINST THE CONGRESS IS LIKELY IF THERE SHOULD BE A CONFRONTATION.
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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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